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8 Attorney for Debtor in Possession

9 **UNITED STATES BANKRUPTCY COURT**

10 **DISTRICT OF NEVADA**

11 IN RE: CASE NO. 14-51643-BTB

12 JOHN DAVIS TRUCKING COMPANY, CHAPTER 11
13 INC.,

14 Debtor in Possession.

**DECLARATION OF JEFFREY
HARTMAN IN SUPPORT OF
DEBTOR'S REPLIES TO
OPPOSITIONS FILED BY
CREDITORS' COMMITTEE AND
AMTRAK TO MOTION FOR ORDER
AUTHORIZING SECOND SALE OF
PERSONAL PROPERTY AND
EMPLOYING RITCHIE BROS.;
PAYMENT OF COMMISSION**

**Hearing Date: May 29, 2015
Hearing Time: 10:00 a.m.**

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16 _____/
17 Jeffrey L. Hartman, under penalty of perjury of the laws of the United States,
18 declares:

19 1. I am an attorney in good standing with the State Bar of Nevada and am admitted
20 to practice in this Court.

21 2. I am general bankruptcy counsel for John Davis Trucking Company, Inc., the
22 debtor in possession in this case.

23 3. I have personal knowledge of the matters stated herein and as to those matters
24 stated on information and belief I believe them to be accurate.

25 4. The first Ritchie Bros. auction approved by the Court in this case was held on
26 March 17, 2015.

27 5. On April 13, 2015, I received a printout from Ritchie Bros. showing the results of
28 the auction. That printout indicated proceeds of \$533,500 "total for this Owner". **Exhibit**

1 **A.**

2 6. That same date, I sent an e-mail to Ritchie Bros. inquiring whether this was the
3 “net to John Davis Trucking?”. Ritchie Bros. responded by e-mail that “yes” that was the
4 net. **Exhibit A.**

5 7. On April 14, 2015, I filed a Notice Of Auction Results attached to which was the
6 printout received from Ritchie Bros. on April 13, 2015. **DE 103.**

7 8. Subsequently, I received an Auction Settlement Statement from Ritchie Bros.
8 showing the April 20th Disbursement to JDT totaling \$480,581.75. This record showed
9 gross sale proceeds of \$533,500 less the 9.5% commission of \$50,682.50 to Ritchie Bros.
10 **Exhibit A.**

11 9. Ritchie Bros. wired the net sale proceeds into the JDT operating account on April
12 21, 2015. **Exhibit A.**

13 10. The deposit is shown on the April 2015 monthly operating report. **DE 139.**

14 Dated: May 21, 2015.

15 **HARTMAN & HARTMAN**

16
17 /S/ Jeffrey L. Hartman
18 Jeffrey L. Hartman
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